

**Federal Defenders
OF NEW YORK, INC.**

Southern District
52 Duane Street-10th Floor, New York, NY 10007
Tel: (212) 417-8700 Fax: (212) 571-0392

David E. Patton
Executive Director

Southern District of New York
Jennifer L. Brown
Attorney-in-Charge

November 9, 2022

VIA ECF

Honorable Jed S. Rakoff
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

**Re: United States v. Guandique-Aguilar,
22 Cr. 490 (JSR)**

Dear Judge Rakoff:

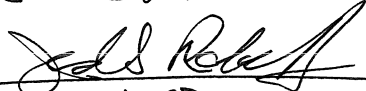
Following e-mail communications with the Court's chambers, I write to respectfully provide notice of my intent to waive Ernesto Guandique-Aguilar's appearance during today's conference pursuant to Fed. R. Crim. P. 43(b)(3). Because the focus of today's conference is to provide the Court with an update as to the status of plea negotiations and to otherwise set a schedule, I respectfully submit that Mr. Guandique-Aguilar's presence is not required under Rule 43 and that the Court should accept my waiver on his behalf on the record during today's proceedings.

Respectfully Submitted,



Andrew John Dalack, Esq.
Federal Defenders of New York, Inc.

Cc: AUSA Jane Chong

SG ORDERED

USD
11-9-22